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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/085,092  | 03/01/2002  | Masahiro Shimizu     | 07043.0020          | 7213             |
| 7590  | 11/04/2003  |                      |                     | EXAMINER         |
| Finnegan, Henderson, Farabow,<br>Garrett & Dunner, L.L.P.<br>1300 I Street, N.W.<br>Washington, DC 20005-3315 |             |                      | FUQUA, SHAWNTINA T  |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3742                |                  |

DATE MAILED: 11/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

|  |                                |  |  |
|--|--------------------------------|--|--|
| <b>Office Action Summary</b>   | Application No.                | Applicant(s)   |  |
|  | 10/085,092                     | SHIMIZU ET AL.   |  |
|  | Examiner<br>Shawntina T. Fuqua | Art Unit<br>3742   |  |
| <i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i><br><b>Period for Reply</b>  |                                |  |  |
| <b>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</b>   |                                |  |  |
| <ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul> |                                |  |  |
| <b>Status</b>  |                                |  |  |
| 1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>28 October 2003</u> .<br>2a) <input type="checkbox"/> This action is <b>FINAL</b> .      2b) <input checked="" type="checkbox"/> This action is non-final.<br>3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  |                                |  |  |
| <b>Disposition of Claims</b>   |                                |  |  |
| 4) <input checked="" type="checkbox"/> Claim(s) <u>1-37</u> is/are pending in the application.<br>4a) Of the above claim(s) <u>9-18 and 26-37</u> is/are withdrawn from consideration.<br>5) <input checked="" type="checkbox"/> Claim(s) <u>1-8</u> is/are allowed.<br>6) <input checked="" type="checkbox"/> Claim(s) <u>19-25</u> is/are rejected.<br>7) <input type="checkbox"/> Claim(s) _____ is/are objected to.<br>8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.  |                                |  |  |
| <b>Application Papers</b>  |                                |  |  |
| 9) <input type="checkbox"/> The specification is objected to by the Examiner.<br>10) <input checked="" type="checkbox"/> The drawing(s) filed on <u>01 March 2002</u> is/are: a) <input checked="" type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner.<br>Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).<br>11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner.<br>If approved, corrected drawings are required in reply to this Office action.<br>12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.  |                                |  |  |
| <b>Priority under 35 U.S.C. §§ 119 and 120</b>   |                                |  |  |
| 13) <input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).<br>a) <input checked="" type="checkbox"/> All    b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of:<br>1. <input checked="" type="checkbox"/> Certified copies of the priority documents have been received.<br>2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.<br>3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).<br>* See the attached detailed Office action for a list of the certified copies not received.   |                                |  |  |
| 14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).<br>a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.  |                                |  |  |
| 15) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  |                                |  |  |
| <b>Attachment(s)</b>   |                                |  |  |
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  |                                | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   |                                | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   |                                | 6) <input type="checkbox"/> Other: _____ .                                   |  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Species A, Figures 2-26, claims 1-8, and 19-25 in Paper No. 6 is acknowledged.
2. Claims 9-18 and 26-37 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahl (US6072160).

Bahl discloses a lamp for use as a heat source comprising an illuminant/filament coil (161; 350), a light emitting part (162) covering the illuminant, a reflective part (160, 300), wherein light travels in a perpendicular direction (column 5, lines 58-60), an electrode part (53) to which power is supplied and filament coil is parallel to projection face (350, Figure 6b) and is a surface light source, reflective part has a gold reflective film on an inner surface (column 5, lines 44-46), a support member (82) on which an object (81) is placed, and a plurality of lamps above the support member (Figure1).

***Allowable Subject Matter***

4. Claims 1-8 are allowed.
5. The following is an examiner's statement of reasons for allowance: the prior art of record neither discloses nor suggests a plurality of lamps including at least one first lamp and a plurality of second lamps each having an irradiation area smaller than that of the first lamp.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawntina T. Fuqua whose telephone number is (703) 305-2581. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on (703) 308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

stf  
November 2, 2003



Shawntina Fuqua  
Patent Examiner  
Art Unit 3742